## REMARKS

This Amendment is in response to the Final Office Action dated January 13, 2004. It is respectfully requested that the Examiner reconsider and allow the claims of the present Application in view of the Amendments made above, and the following remarks.

Claims 1 through 5, 7 through 16, and 18 through 25 remain pending in this case. Claim 1,4, 12, and 23 have each been currently amended.

"Claim 1-5, 8-9, 12-16, 19-20, and 23-25 are rejected under 35 U.S.C. 102(e)as being anticipated by Pingali (US PAT. 6,005,610)." Applicants have further amended Claim 1 to read as follows:

> A method for tracking an object of interest in a video processing system, the method comprising the steps of:
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> generating for particular ones of successive plural measurement intervals an audio locator output from an audio input derived from detecting sound from an object, and a video locator output from a video input derived partly from a camera detecting movement of an object, each indicative of a location of the object of interest;
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> applying a set of rules to each of the audio locator output and video locator output to determine which one of the audio locator output and the video locator output will be utilized to adjust a setting of the camera during each one of said successive plural measurement intervals; and
>
> adjusting the camera setting utilizing only the selected one of the audio locator output and the video locator output

in accordance with the applied set of rules.

Claim 1, as amended, is not anticipated by Pingali for a number of reasons. Applicants are now claiming that they obtain "a video locator output from a video input derived from a camera detecting movement of an object . . . ." Pingali teaches away from claimed video detection, in clearly teaching throughout his patent that he identifies in one instance "a object contained in the image having a pre-selective visual feature," and in another instance teaches the ". . .tracking multiple objects which includes the steps of capturing and transmitting images of a video scene using a plurality of cameras at an instant of time, identifying objects having preselected features contained in said images . ." (see column 3, lines 19, and 37-39; column 4, lines 19-22, line 28, and lines 55-56). Also, in the "applying" step Applicants are determining which one of the audio and visual locator outputs ". . . will be utilized to adjust a setting of the camera during each one of said successive plural measurement intervals"; in the "adjusting" step calling for "adjusting the camera setting utilizing only the selected one of the audio locator output and the video locator output in accordance with the applied set of rules." Pingali does not teach or suggest such "applying" and "adjusting" steps. In fact, Pingali teaches away from the use of such steps

for selecting only one of audio or video locator output signals for adjusting a camera. Specifically, Pingali relies upon the use of cross triangulation to locate an object through use of both audio and video signals at the same time (see column 7, lines 36-64). In column 9, lines 20 through 30, Pingali teaches eliminating weak audio-only and weak visual-only clusters, but clearly does not teach Applicants' claimed method for adjusting the camera setting utilizing only a selected one of the audio and video locator output signals, as previously indicated.

Claim 1 has also been currently amended to ensure an antecedent basis for "the camera" as claimed in the "adjusting" step, whereby in the "generating" step the former "a video input," has been changed to - - a video input derived partly from a camera detecting movement of an object, --. Pingali does not teach the obtainment of a video input by detecting movement of an object. The "generating step" of Claim 1 has also been amended call for - - generating for each one of successive plural measurement intervals . . ." to more clearly claim that the tracking method utilizes plural measurement intervals. Note further that operation of the present tracking method and system for the use of plural measurement intervals is found on page 9, lines 13 through 19. Also, in the specification on page 12, lines 28 through 33, on page

13, lines 1 through 9, operation of the tracking method and apparatus for providing "a video input derived partly from a camera detecting movement of an object" is described. For all of these reasons, Claim 1, as now presented is patentable over Pingali.

Claims 2 and 3 are dependent from Claim 1. Accordingly, these claims are patentable over Pingali for at least the same reasons as Claim 1 (Currently amended).

In regard to Claims 4 and 5, each are claiming a combination of steps not found in Pingali, for reasons previously given in distinguishing Claim 1 (Currently amended) from Pingali. Ordinarily, Claims 4 and 5 are patentable in and of themselves over Pingali. Also, these claims are patentable for at least the same reasons as Claim 1 (Currently amended) from which they each ultimately depend. Claims 8, 9, and 11, are each ultimately dependent from Claim 1. Accordingly, each is patentable for at least the same reasons as Claim 1 (Currently amended).

Claim 12, as currently amended, now calls for the following:

> An apparatus for tracking an object of interest in a video processing system, the apparatus comprising:
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> a camera; and
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> a processor coupled to the camera and operative (i) to process an audio locator output from an audio input signal, and a video locator output, from a video input signal derived

partly from movement of the object, each indicative of a location of the object of interest for particular ones of given measurement intervals of a plurality of successive measurement intervals; and (ii) to apply a set of rules to each of the audio locator output and the video locator output to determine which one of the audio locator output and the video locator output will be utilized to adjust a setting of the camera based on the given measurement interval, such that the camera setting is adjusted utilizing only the selected one of the audio locator output and the video locator output in accordance with the applied set of rules.

As previously mentioned above, Pingali teaches away from obtaining "a video input signal derived partly from movement of the object . . .," Claim 12 has further been amended to now call for each one of the "audio locator" and "video locator" output signals to be "each indicative of a location of the object of interest for a particular ones of given measurement intervals of a plurality of successive measurement intervals . . .," in consideration of measurement intervals in which the object may not be moving and also may not be making any sound, whereby the camera will not have its position setting modified. Also, Claim 12, as currently amended, now calls for ". . . the camera settings adjusted utilizes

only the selected one of the audio locator output and the video locator output in accordance with the applied set of rules." As previously noted, Pingali does not even suggest such selection of the aforesaid output signals. Accordingly Claim 12 (currently amended) is patentable over Pingali.

Claims 13 and 14, each dependent from Claim 12, are patentable for at least the same reasons as Claim 12.

Claim 15 is calling for the set of rules being established to use the audio locator output for adjusting the camera "if the audio and video locator outputs are not within a specified range of one another for the given measurement interval." Also, Claim 16 calls for the rules to be set up for using the video locator output signal to adjust the camera setting "only if the audio and video locator outputs are within a specified range of one another for the given measurement interval." These claims are patentable in and of themselves over Pingali, in that Pingali does not teach or even suggest the use of any rules for permitting the claimed selection between audio and video locator output signals. Also, Claims 15 and 16 are each ultimately depended from Claim 12, and for this reason alone are patentable over Pingali. Claims 19 and 20 are each ultimately dependent from Claim 12. Accordingly, these claims are patentable for at least the same reasons as Claim 12 over

Pingali.

Claim 23 has been currently amended in a manner similar to the present amendment to Claim 1. Accordingly, comments made in distinguishing Claim 1 from Pingali are applicable for Claim 23 (Currently amended). Applicants urge that Pingali does not teach or even suggest the combination of elements of Claim 23, as currently amended. Accordingly, Claim 23 is patentable over Pingali.

Claim 24 is dependent from Claim 1, and accordingly is patentable over Pingali for the same reasons as Claim 1 (Currently amended). Similarly, Claim 25 is dependent from Claim 12, and is patentable over Pingali for at least the same reasons as Claim 12 (Currently amended).

"Claims 7, 10-11, 18 and 21-22 are rejected under 35 C.F.R. 103(a) as being unpatentable over Pingali (US PAT. 6,005,610) in view of Hildin (US PAT. 5,844,599)."

With regard to Claim 7, the Examiner advises that Hildin, in column 5 lines 4-19 and column 6 lines 2-9 teaches the "set of rules" of Claim 7. Applicants respectfully traverse in that in column 5, lines 38 and 39, Hildin teaches that ". . . under normal conditions emitter 104 is only responsive to the voice energy from the predetermined zone." This means that voice energy or sounds

outside the zone are ignored. The method of Claim 7 has no such limitation. The aforesaid comments also apply to Claim 18, rejected by the Examiner for the same reasons as Claim 7. Regardless. Claim 7 is dependent from Claim 1, and is patentable for at least the same reasons as Claim 1 (Currently amended). Also, Claim 18 is dependent from Claim 12, is patentable for at least the same reasons as Claim 12 (Currently amended).

Claims 10 and 11 are each ultimately dependent from Claim 1. Accordingly, these claims are patentable for at least the same reasons as Claim 1 (Currently amended).

Claim 21 is dependent from Claim 12. Accordingly, Claim 21 is patentable for at least the same reasons as Claim 12 (Currently amended).

Claim 22 is dependent from Claim 21, and as such is ultimately from Claim 12. Accordingly, Claim 22 is patentable for at least the same reasons as Claim 12 (Currently amended).

Since this Amendment is being filed within 3 months of the January 13, 2004, date of the Final Office Action, it is believed that no fees are due. However, if any fees are due relative to this Amendment, the undersigned requests the Commissioner to charge the same to Deposit Account No. 23-0510.

Applicants believe that the claims as now presented are in condition for allowance. Accordingly, it is respectfully requested that the claims be allowed, and the case passed to issue.

Respectfully submitted

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